

Article - Public Safety

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§13A–717.

(a) A person may not be convicted of an offense in a general or special court–martial, other than:

(1) after a plea of guilty under § 13A–710 of this subtitle;

(2) by a military judge in a court–martial with a military judge alone under § 13A–401 of this title; or

(3) in a court–martial with members under § 13A–401 of this title, by the concurrence of at least three–fourths of the members present when the vote is taken.

(b) (1) Except as provided in subsection (a) of this section, subject to paragraph (2) of this subsection, all matters to be decided by members of a general or special court–martial shall be determined by a majority vote.

(2) A reconsideration of a finding of guilty or reconsideration of a sentence, with a view toward decreasing the sentence, may be made by any lesser vote that indicates the reconsideration is not opposed by the number of votes required for that finding or sentence.

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